

REMARKS

The allowability of original claim 5 is acknowledged appreciatively and accepted above by amendment into independent form that should not raise Festo-like limitations to all-original claim limitations despite some other thinking.

Non-narrowing amendments are made to claims 1, 2 and 16 to attend to their objections without Festo-like limitations.

The rejections of independent claims 1, 2, 9, 10, 11 and 20 and, thereby, their dependent claims, under 35 USC 103 for obviousness from the cited Bando, et al. and Eyer Mark, et al. patent publications (hereafter Bando and Eyer Mark) are traversed. The Action contends that Eyer Mark discloses generating information indicative of an elapsed time of the contents that indicates a relationship between positions on a time axis of the contents representing an amount of time that passes as the contents are played and a time count that accrues as a preview time when the contents are previewed, while admitting that Bando fails to teach such features.

Claim 1 is amended to include the features that the information indicative of an elapsed time of the contents is arranged such that the time count indicates a first time length accrued as the preview time for passage of a predetermined time length on the time axis of the contents at a first portion of the contents, and indicates a second time length accrued as the preview time for passage of the same predetermined time length on the time axis of the contents at a second portion of the contents, said first time length being different from the second time length. Namely, the first time length accrued at a first portion of the contents is different from the second time length accrued at a second portion of the contents for passage of the same predetermined time length. such features as shown in original Fig. 6(B) and Fig.

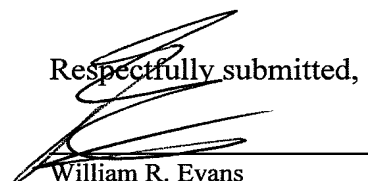
6(C), for example, as non-limiting examples of the original disclosure. In the example of Fig. 6(B), the allocation of elapsed time is not evenly made. In Fig. 6(C), the elapsed time decreases with time in respect of specific portions of the contents.

In Eyer Mark, the viewer can preview any desired portion of the contents for free until the accrued preview time count reaches a predetermined maximum preview time. In the arrangement taught by Eyer Mark, the preview time count is accrued according to the actual time that passes by viewing the contents. Namely, Eyer Mark does not teach or suggest that the first time length accrued at a first portion of the contents is different from the second time length accrued at a second portion of the contents for passage of the same predetermined time length. Bando does not cure the deficiency of Eyer Mark.

Accordingly, neither Bando nor Eyer Mark, taken alone or in combination teaches or suggests the invention of claim 1 as amended. Independent claims 2, 9,10,11,20 which include the similar features to those of claim 1 as amended are also patentable for at least the same reasons.

Reconsideration and allowance are, therefore, requested.

Respectfully submitted,



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